
TITLE 326 AIR POLLUTION CONTROL DIVISION**NOTICE OF READOPTION**
IC 13-14-9.5-1.1 NOTICE OF RULE REVIEW
LSA Document #13-174

This is a notice of rule review as described in [IC 13-14-9.5-1.1](#). Certain rules described in [IC 13-14-9.5-1.1](#) do not expire after seven years. These types of rules are: (1) rules required to receive or maintain delegation, primacy, or approval for implementation or operation of a program established under federal law; and (2) rules required to begin or continue receiving federal funding for implementation or operation of a program.

The Indiana Department of Environmental Management (IDEM) is required to publish a list of these rules that have been effective for seven years and request comment, in a 30 day comment period, on any specific rule that should be reviewed through the regular rulemaking process under [IC 13-14-9](#). IDEM must also notice a public hearing before the Environmental Rules Board (board). IDEM will respond to all comments received during the comment period and provide the comments and responses to the board during the public hearing. The board, after considering the comments, responses, and testimony at the hearing, will direct IDEM on whether additional rulemaking actions must be started to address concerns raised to the board.

IC 13-14-9-4(a)(5) THROUGH IC 13-14-9-4(a)(7) IDENTIFICATION OF RESTRICTIONS AND REQUIREMENTS NOT IMPOSED UNDER FEDERAL LAW

[IC 13-14-9.5-1.1](#) requires this notice to contain the information described under [IC 13-14-9-4\(a\)\(5\)](#) through [IC 13-14-9-4\(a\)\(7\)](#) regarding restrictions and requirements of the listed rules that are not imposed under federal law. The listed rules establish requirements to implement the Clean Air Act (CAA). The CAA authorizes comprehensive federal and state regulations to limit air pollution. These rules have been incorporated into Indiana's State Implementation Plan (SIP) and are federally enforceable. These rules are authorized under [IC 13-17-3-4](#).

LIST OF RULES

The following is a list of rules in 326 IAC that have been effective for seven years and are: (1) required to receive or maintain delegation, primacy, or approval for implementation or operation of a program established under federal law; or (2) required to begin or continue receiving federal funding for implementation or operation of a program:

326 IAC 1-1	Provisions Applicable Throughout Title 326
326 IAC 1-2	Definitions
326 IAC 1-3	Ambient Air Quality Standards
326 IAC 1-5	Episode Alert Levels
326 IAC 1-6	Malfunctions
326 IAC 1-7	Stack Height Provisions
326 IAC 2-1.1	General Provisions
326 IAC 2-2	Prevention of Significant Deterioration (PSD) Requirements
326 IAC 2-2.4	Actuals Plantwide Applicability Limitations in Attainment Areas
326 IAC 2-3	Emission Offset
326 IAC 2-3.4	Actuals Plantwide Applicability Limitations in Nonattainment Areas
326 IAC 2-4.1	Major Sources of Hazardous Air Pollutants
326 IAC 2-5.1	Construction of New Sources
326 IAC 2-6	Emission Reporting
326 IAC 2-7	Part 70 Permit Program
326 IAC 2-8	Federally Enforceable State Operating Permit Program
326 IAC 2-9	Source Specific Operating Agreement Program
326 IAC 2-12	General Permits
326 IAC 2-13	Interim Approvals
326 IAC 2-14	Portable Sources
326 IAC 4-1	Open Burning
326 IAC 4-2	Incinerators
326 IAC 5-1	Opacity Limitations
326 IAC 6-2	Particulate Emission Limitations for Sources of Indirect Heating
326 IAC 6-3	Particulate Emission Limitations for Manufacturing Processes
326 IAC 6-4	Fugitive Dust Emissions

326 IAC 6-5	Fugitive Particulate Matter Emission Limitations
326 IAC 6-6	Source Specific and Facility Emission Limitations for TSP in Porter County
326 IAC 6.5-1	General Provisions
326 IAC 6.8-1	General Provisions
326 IAC 6.8-8	Lake County: Continuous Compliance Plan
326 IAC 6.8-9	Lake County: PM ₁₀ Coke Battery Emission Requirements
326 IAC 6.8-10	Lake County: Fugitive Particulate Matter
326 IAC 6.8-11	Lake County: Particulate Matter Contingency Measures
326 IAC 7-1.1	Sulfur Dioxide Emission Limitations
326 IAC 7-3	Ambient Monitoring
326 IAC 7-4	Emission Limitations and Requirements by County
326 IAC 7-4.1	Lake County Sulfur Dioxide Emission Limitations
326 IAC 8-1	General Provisions
326 IAC 8-2	Surface Coating Emission Limitations
326 IAC 8-4	Petroleum Sources
326 IAC 8-5	Miscellaneous Operations
326 IAC 8-6	Organic Solvent Emission Limitations
326 IAC 8-7	Specific VOC Reduction Requirements for Lake, Porter, Clark, and Floyd Counties
326 IAC 8-8	Municipal Solid Waste Landfills Located in Clark, Floyd, Lake, and Porter Counties
326 IAC 8-8.1	Municipal Solid Waste Landfills Not Located in Clark, Floyd, Lake, and Porter Counties
326 IAC 8-9	Volatile Organic Liquid Storage Vessels
326 IAC 8-11	Wood Furniture Coatings
326 IAC 8-12	Shipbuilding or Ship Repair Operations in Clark, Floyd, Lake, and Porter Counties
326 IAC 8-13	Sinter Plants
326 IAC 9-1	Carbon Monoxide Emission Limits
326 IAC 10-1	Nitrogen Oxides Control in Clark and Floyd Counties
326 IAC 10-3	Nitrogen Oxide Reduction Program for Specific Source Categories
326 IAC 10-4	Nitrogen Oxides Budget Trading Program
326 IAC 10-5	Nitrogen Oxide Reduction Program for Internal Combustion Engines (ICE)
326 IAC 11-1	Existing Foundries
326 IAC 11-2	Sulfuric Acid Plants
326 IAC 11-3	Coke Oven Batteries
326 IAC 11-4	Fiberglass Insulation Manufacturing
326 IAC 13-1.1	Motor Vehicle Inspection and Maintenance Requirements
326 IAC 13-2.1	Motor Vehicle Tampering, Engine Switching, and Fuel Switching
326 IAC 13-3	Control of Gasoline Reid Vapor Pressure
326 IAC 14-1	General Provisions
326 IAC 14-8	Emission Standard for Equipment Leaks (Fugitive Emission Sources)
326 IAC 14-9	Emission Limitations for Benzene from Furnace Coke Oven By-Product Recovery Plants
326 IAC 14-10	Emission Standards for Asbestos; Demolition and Renovation Operations
326 IAC 15-1-1	Applicability
326 IAC 18-1	Asbestos Management Personnel: Licensing
326 IAC 18-2	Asbestos Training Courses; Requirements for Approval
326 IAC 19-3	Clean Fuel Fleet Vehicles
326 IAC 24-1	Clean Air Interstate Rule Nitrogen Oxides Annual Trading Program
326 IAC 24-2	Clean Air Interstate Rule (CAIR) Sulfur Dioxide Trading Program
326 IAC 24-3	Clean Air Interstate Rule (CAIR) NO _x Ozone Season Trading Program

REQUEST FOR PUBLIC COMMENTS

At this time, IDEM solicits comments on specific rules listed above that should be reviewed through the regular rulemaking process under [IC 13-14-9](#). IDEM requests that specific changes and language suggestions accompany the comments. Comments may be submitted in one of the following ways:

(1) By mail or common carrier to the following address:

LSA Document #13-174 2013 Title 326 Rule Review
Susan Bem
Rule Development Branch

Office of Legal Counsel
Indiana Department of Environmental Management
100 North Senate Avenue
Mail Code 61-49
Indianapolis, IN 46204

(2) By facsimile to (317) 233-5970. Please confirm the timely receipt of faxed comments by calling the Rule Development Branch at (317) 233-8903.

(3) By electronic mail to sbem@idem.in.gov. To confirm timely delivery of submitted comments, please request a document receipt when sending the electronic mail. **PLEASE NOTE: Electronic mail comments will NOT be considered part of the official written comment period unless they are sent to the email address indicated in this notice.**

(4) Hand delivered to the receptionist on duty at the thirteenth floor reception desk, Office of Legal Counsel, Indiana Government Center North, 100 North Senate Avenue, Indianapolis, Indiana.

Regardless of the delivery method used, in order to properly identify each comment with the rulemaking action it is intended to address, each comment document must clearly specify the LSA document number of the rulemaking.

COMMENT PERIOD DEADLINE

Comments must be postmarked, faxed, or time stamped not later than June 21, 2013. Hand-delivered comments must be delivered to the office by 4:45 p.m. on the above-listed deadline date.

Additional information regarding this action may be obtained from Susan Bem, Rule Development Branch, Office of Legal Counsel, (317) 233-5697 or (800) 451-6027 (in Indiana).

Nancy King, Chief
Rule Development Branch
Office of Legal Counsel

[Notice of Public Hearing](#)

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An [html](#) version of this document.